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EPA Region III

Office of Public Affairs

Mid-Atlantic Headlines

Thursday, May 16, 2013

\*\*\* DAILY HOT LIST \*\*\*

Are air pollution exemptions harming air quality?

**WEST VIRGINIA STATE JOURNAL** Revisions the Environmental Protection Agency proposes to air quality rules in 36 states, West Virginia included, would require substantial administrative effort but would not improve air quality, according to a state regulator. The agency's proposal to change regulations that govern industrial facilities during startup, shutdown and malfunction — SSM events — does not take the entire suite of state air quality regulations into account, said Fred Durham, deputy director of the state Department of Environmental Protection's Division of Air Quality. "If you look at West Virginia air pollution control law as a holistic, integrated entity, a lot of this stuff falls off the plate," Durham said. The West Virginia chapter of the Sierra Club believes exemptions should end, said Energy Committee Chair James Kotcon, and it has challenged air pollution permits to have those emissions counted. Because air pollution controls on some industrial facilities work only during normal operation, spikes of emissions during SSM events long have been seen as unavoidable. Thirty-six states have written provisions into their Clean Air Act state implementation plans, or SIPs, specifically exempting industrial facilities from some aspects of their permit limits during SSM events, according to the EPA. In 2011, the national Sierra Club petitioned the EPA for a rulemaking ending this practice, saying it violates the Clean Air Act. And in February this year, the EPA proposed a rule that would direct those states to submit revised SIPs by March 2015. The current SIPs, including their SSM exemptions, were approved by the EPA. But the agency proposes now to view startup and shutdown as phases of normal plant operation that could be allowed to meet recommended "special emission limitations" during those periods. Malfunctions, when shown to be "sudden, avoidable and unpredictable," could continue to be exempt from permit limits in the proposal. A 13-page comment letter submitted May 13 to the agency by DEP Cabinet Secretary Randy Huffman and Attorney General Patrick Morrisey raise several objections to the proposal. Most fundamentally, they make Durham's argument: that the agency has taken West Virginia's SSM rules out of context. Durham provided further explanation, saying the many-layered nature of the air quality rules provides backstops.

A game-changing study for Delmarva poultry industry

**SALISBURY DAILY TIMES** PRINCESS ANNE — Gary King recently purchased one of the fastest, most powerful tillers on the market. His \$30,000 investment ensures that almost all of the chicken manure he puts on his corn and soybean fields each spring gets mixed into the soil instead of running off into nearby ditches and streams, fouling the Chesapeake Bay. The Somerset County farmer says he is happy to help the bay — but also hopping mad. And he isn't alone. A new study confirms what many of the region's farmers have suspected for years: Computer models used to guide federal bay restoration goals and state environmental regulations have been significantly overestimating the poultry industry's nutrient contributions. In Sussex County alone, the U.S. Environmental Protection Agency's models suggested that the industry generated 38.5 million pounds of nitrogen a year. Relying on manure samples and shipment logs instead of years-old estimates, a University of Delaware researcher found the number was about 55 percent lower. "We're not talking about being off by a few tons. We're off by a few millions tons. That's a lot, and that's just in Sussex County," said Jim Glancey, a professor in the university's Bioresources Engineering and Mechanical Engineering departments. The agency's Chesapeake Bay Program is expected to consider implementing Glancey's model recommendations this summer. "This is something I don't think has been done anywhere else in the country on this scale," Mark Dubin, a University of Maryland regional extension agent, said last Friday at a Chesapeake Bay Program agriculture committee meeting at which Glancey had presented his results. "This is something that will be talked about everywhere." In a statement, the EPA said the agency has been aware of Glancey's work for more than a year, and that a committee with "diverse participation" had been formed to settle the issue in a timely way. "While we await submittal of additional data needed, we are hopeful the collective data will show that industry efforts to reduce nutrients in poultry litter is having a positive result," the statement said. "Any decision regarding the use of this information would be made by the Chesapeake Bay Partnership."

Poultry pollution has been overestimated, new study says

**WILMINGTON NEWS JOURNAL** DOVER — Federal environmental programs have drastically overestimated poultry industry contributions to water pollution, according to a University of Delaware-led study that could trigger changes to river and bay cleanup plans across Delmarva and around the country. James L. Glancey, a professor in the university's Bioresources Engineering and Mechanical Engineering departments, said that a multi-state study, based on thousands of

manure tests, found that actual nitrogen levels in poultry house manure are 55 percent lower than the Environmental Protection Agency’s decades-old, lab-based standards. The results -- a nitrogen difference of 20.8 million pounds a year for Sussex County alone -- could lead to a formal proposal as early as next month for changes to the Chesapeake Bay Program’s six-state pollution forecasting model, used to guide a federally backed attempt to restore the bay’s health and ecosystems and assign cleanup goals. “I think this is a precedent-setting kind of thing, but we’re not quite sure how it’s going to propagate through the United States,” Glancey said after giving a briefing on the findings at the state Department of Agriculture. “Everyone’s watching it, there’s no doubt about it. The comments came during a wider session on recent research findings suggesting progress in efforts to to improve groundwater and reduce the number of Delaware waterways designated as “impaired” by runoff containing high levels of fertilizer-like nitrogen and phosphorus.

### State Checking Air Quality In Gas Drilling Areas

**WNEP-TV SCRANTON WILKES-BARRE** DIMOCK TOWNSHIP — The Pennsylvania Department of Environmental Protection is testing air quality this week in Susquehanna County in the area with the most natural gas activity. DEP says with so much drilling and fracking and so many compressor stations being built to help transport the gas, some have questioned if the air is being polluted. Hydraulic fracturing or “fracking” is the process of using liquid to break up underground shale to extract natural gas. It’s hard to miss all the natural gas activity in the Elk Lake area of Susquehanna County but some people wonder what you can’t see here, what’s happening to the air. So the state brought an air testing unit to spend the week in the area, trying to figure out if all the gas activity is causing any air quality concerns. “People have come to us at these public hearings, they’ve been worried about not just one compressor station, we’re worried about the cumulative effect of all these compressor stations and what they’re giving off. So the DEP is up here trying to monitor air quality and trying to see what is floating around,” said Colleen Connolly, DEP spokesperson. Equipment is testing any emissions coming from those compressor stations used to help transport the gas, the fracking, and the drilling. Researchers were testing levels behind the Elk Lake schools. An infrared beam is going from the truck to a piece of equipment, picking up any abnormalities. “Basically, it goes 70 meters up from this piece of equipment, up this way and 70 meters back for 140 meters and it measures the volatile organic chemicals, the nitrous oxide, the methane in the air,” Connolly explained. The location of the test site is near several well pads, a drilling site, and a compressor station. “Sure I’m glad. You have kids playing at the school right there and I live here and we want to make sure everything’s safe,” said Bill Ivens. Ivens lives right near the testing location and a gas well. The equipment is so sensitive that it even picked up exhaust coming from his lawn mower earlier in the day. He’s curious to see if this testing turns up any concerns. “Every once in a while, I’ll be on the deck and I hear a release sound coming from back there,” Ivens said. “I hear noises coming from back there every so often and it makes you think.” A DEP spokesperson says preliminary results so far haven’t turned up any air quality concerns, but the testing will be at different spots in the county all week. It will be about a month before all the test results are in.

### 4th Circuit upholds Alpha mine permit decision

**CHARLESTON GAZETTE** CHARLESTON, W.Va. -- A federal appeals court has upheld a decision that cleared the way for a Clean Water Act permit needed for a new mountaintop removal mine in Logan County. On Wednesday, a 4th U.S. Circuit Court of Appeals panel affirmed an August 2012 ruling in which U.S. District Judge Robert C. Chambers did not revoke the permit issued by the federal Army Corps of Engineers. Judge Paul V. Niemeyer said the agency decision satisfied federal legal requirements that it take a "hard look" at the potential impacts of mining. "Our review is limited, and we may not use review of an agency's environmental analysis as a guise for second-guessing substantive decisions committed to the discretion of the agency," Niemeyer wrote. The "dredge-and-fill" permit is part of Alpha subsidiary Highland Mining’s proposal for the 635-acre Reylas Surface Mine near Ethel in Logan County. "It's rewarding to us to see that the courts have multiple times cast aside the unfounded arguments of a small number of special interest groups who wish to stop coal at all costs," said Ted Pile, a spokesman for Alpha. "Who wins in this ruling are really the communities of Appalachia that are able to preserve high-paying mining jobs and enjoy the economic benefits that come with a properly run, well-regulated business." The Alpha permit ruling comes three weeks after a pair of federal appeals court mountaintop removal decisions -- concerning the U.S. Environmental Protection's veto of the Spruce Mine in West Virginia and a broad permit challenge out of Kentucky that went to the Cincinnati-based 6th Circuit -- that went against the coal industry. At its Reylas Mine, Alpha hopes to employ about 100 people for six years of mining, and then create a 235-acre site with paved roads and utilities that could be used for temporary housing during flooding and other emergencies. The mine, though, would bury about 2.5 miles of streams beneath a valley fill and associated runoff-control structures.

### Survey: Pa. residents give cautious support for gas drilling

**PITTSBURGH POST-GAZETTE** Though nearly half of Pennsylvanians support natural gas drilling to some degree, about 58 percent would back a moratorium on hydraulic fracturing until there is a fuller understanding of the risks, according to a poll released Tuesday. Researchers tracking development of the state's Marcellus Shale released the findings of their second survey of residents asked about the natural gas drilling and "fracking" extraction technology that has inspired debate throughout the Commonwealth. Overall support for drilling has been tempered by water contamination risks and the public's reliability concerns with state environmental regulators, said Barry Rabe, professor of public policy at the University of Michigan and co-author on the report. The survey, conducted by researchers at the University of Michigan and Muhlenberg College, polled residents in rig-heavy Pennsylvania and in Michigan, a state where fracking is still new. Researchers found Pennsylvanians were more likely to cite on-the-ground benefits to shale drilling, and were better versed in the risks associated with the development. In Pennsylvania, the survey interviewed 424 residents by phone in late October and early November. Only 13 percent of those surveyed here had never heard of fracking. The poll is something of an update to a 2011 survey by the same researchers. In the time between polls, more Pennsylvanians have started tracking the development, with 59 percent of those in the second survey saying they followed the debate very closely or somewhat closely. That's an increase from 48 percent in 2011. Since that first survey, Pennsylvania legislators have also passed Act 13, a high-profile and sweeping set of laws that imposed statewide regulations on drilling and levied a per-well "impact fee" on drillers.

### Democrats Try to End Standoff on Nominations

**WALL STREET JOURNAL** Senate Democrats plan to try to break the logjam on a number of top administration nominees whose confirmations have been held up by Republican senators. Next week, Democrats plan a full-Senate vote on Richard Cordray to be director of the Consumer Financial Protection Bureau, an appointment that has been blocked by Republicans who want to change the structure of the two-year old agency. Mr. Cordray has been running the bureau under a January 2012 recess appointment. The Cordray vote is expected to fail, but Democrats hope it highlights what they see as GOP obstructionism that has kept President Barack Obama from filling his cabinet and senior posts in his administration. Every GOP senator signed a letter vowing to continue to block Mr. Cordray's nomination until the agency was made more accountable to Congress. "There has been zero outreach from the White House to resolve this call for transparency and accountability," said Don Stewart, a spokesman for Senate Republican Leader Mitch McConnell of Kentucky. Democrats have also scheduled committee votes Thursday on a pair of top nominees. The Senate Health, Education, Labor and Pensions Committee is scheduled to vote on Thomas Perez to become Labor secretary. And the Senate Environment and Public Works Committee is scheduled to vote on Gina McCarthy to head the Environmental Protection Agency. Last week, Republican members of the committee boycotted a vote on her nomination, effectively blocking it. As a measure of the Democrats' resolve to move forward with the nomination of Ms. McCarthy, an EPA air quality expert, Sen. Frank Lautenberg (D., N.J.), a member of the panel, is expected to return to Washington to cast a vote for her nomination. Mr. Lautenberg has been sidelined by illness much of this year. Republicans often cite the EPA as an example of federal government overreach given the multitude of new regulations that have been issued by the agency during the president's first term. Mr. Obama has said he won't hesitate to use the EPA's regulatory authority to push his environmental agenda in his second term if Congress fails to act to tackle climate change.

Environment Panel Republicans to Attend Vote on McCarthy Nomination

**BNA DAILY ENVIRONMENT REPORT** Republicans on the Environment and Public Works Committee say they will attend a scheduled vote today on the nomination of Gina McCarthy to head EPA, further ensuring a quorum would be present to advance the nomination. Sens. Boozman and Barrasso tell reporters that the responses EPA provided the committee were adequate to move the nomination forward. "We've actually gotten a lot of the information we've requested," Boozman says. Republicans boycotted a previously scheduled vote.

PENNSYLVANIA

PHILADELPHIA INQUIRER

Portland plant to stop using coal six months early Environmental advocates are declaring a victory today, after an announcement that NRG Energy Inc. will stop using coal at its Portland Generating Station, a power plant that is along the Delaware River in northeastern Pennsylvania, six months earlier than planned. In addition, the company's Titus plant, another coal-fired facility just beyond the Philadelphia suburbs, will close Sept. 1 of this year, instead of April 15, 2015, as previously planned. New Jersey officials had long sought action at the Portland plant, which they claimed was the major air polluter in the northern part of the state. The decision is part of a settlement of a law suit that both New Jersey and Connecticut initiated in 2007. To meet the requirements of the settlement, according to a company press release, NRG will stop using coal as fuel in two units at its Portland facility by June 1, 2014, after receiving the appropriate regulatory approvals. The units were previously scheduled to be deactivated on January 6, 2015. NRG has also agreed to invest \$1 million to benefit the environment in New Jersey and Connecticut, the company said. Lee Davis, President of NRG's East Region, said the company acquired the plant in December, 2012, and had operated it in compliance with permits. However, "we immediately started working with New Jersey and Connecticut and were able to resolve this issue without additional delay or cost to taxpayers," he said. New Jersey Department of Environmental Protection commissioner Bob Martin said the agreement was ""a tremendous win for cleaner air and better health for the residents of New Jersey. For too long, the coal-fired generators at this power plant emitted levels of sulfur dioxide and other pollutants at levels that were unhealthy for our residents."

PITTSBURGH POST-GAZETTE

Survey: Pa. residents give cautious support for gas drilling Though nearly half of Pennsylvanians support natural gas drilling to some degree, about 58 percent would back a moratorium on hydraulic fracturing until there is a fuller understanding of the risks, according to a poll released Tuesday. Researchers tracking development of the state's Marcellus Shale released the findings of their second survey of residents asked about the natural gas drilling and "fracking" extraction technology that has inspired debate throughout the Commonwealth. Overall support for drilling has been tempered by water contamination risks and the public's reliability concerns with state environmental regulators, said Barry Rabe, professor of public policy at the University of Michigan and co-author on the report. The survey, conducted by researchers at the University of Michigan and Muhlenberg College, polled residents in rig-heavy Pennsylvania and in Michigan, a state where fracking is still new. Researchers found Pennsylvanians were more likely to cite on-the-ground benefits to shale drilling, and were better versed in the risks associated with the development. In Pennsylvania, the survey interviewed 424 residents by phone in late October and early November. Only 13 percent of those surveyed here had never heard of fracking. The poll is something of an update to a 2011 survey by the same researchers. In the time between polls, more Pennsylvanians have started tracking the development, with 59 percent of those in the second survey saying they followed the debate very closely or somewhat closely. That's an increase from 48 percent in 2011. Since that first survey, Pennsylvania legislators have also passed Act 13, a high-profile and sweeping set of laws that imposed statewide regulations on drilling and levied a per-well "impact fee" on drillers.

PITTSBURGH TRIBUNE REVIEW

Gauge with radioactive material lost in W. Va. still hasn't been found State and federal authorities continue to hunt for a missing radioactive gauge licensed to a Pennsylvania company. A worker with Valley Quarries Inc. of Chambersburg in Franklin County, reported a portable gauge used to test paving material fell out of a work truck on Interstate 81 near Martinsburg, W. Va., on May 3, the Nuclear Regulatory Commission reported. Martinsburg is about three hours southeast of Pittsburgh toward Washington. State officials are concerned that the device went missing so close to the state line, said DEP spokeswoman Lisa Kasianowitz. "We definitely don't want this gauge falling into the wrong hands and cause radiation exposure," she said. A Valley Quarries employee placed the gauge in the back of a pickup and discovered it missing when he arrived at a nearby work site, a company official said. "It was only a matter of 10 or 15 minutes from the time it went missing to when we realized it," said John Englerth, Valley Quarries' radiation safety officer. The company notified the NRC and state officials from West Virginia and Pennsylvania about the missing equipment, which weighs 29 pounds. The agencies are asking the public for assistance. "Things really do get found that way," said NRC spokeswoman Diane Screnci.

Southmoreland students test water in Greenlick Run Taking to the outdoors for the second time this year, students from the Southmoreland High School earth and science classes ventured to Greenlick Run to spend a morning testing the water in the little picturesque stream that runs through Bullskin Township. "They will be testing the Water Quality Index, and the Pollution Tolerance Index," said teacher Lindsay DiCasolo. "They will use that information to determine it's condition." Several weeks ago, the students did a similar testing at Stauffer Run in Scottdale, a stream that has issues with urban run-off and mine drainage. "They will now be able to see the differences between a healthy stream and one that is not so healthy," DiCasolo said. The students, which number about 150, have been learning about the importance of water quality for several weeks in their in-school classes, and found it fun and interesting to be able to take their new found knowledge and apply it to an actual body of water. "We've been learning about water quality," Jake Beistel said, adding he enjoyed the outside classroom. "I think this is fun. It's interesting." The students worked with the stream's physical characteristics, its biology and its chemistry. "I think that this project is a great way to get these kids outdoors and to actually see what they are learning in the classroom," said Patty Miller, Jacobs Creek watershed executive director. "I think that they learn more by actually being able to apply in a hands-on manner what they learn."

Connellsville High students, agency clear 2 dump sites in Upper Tyrone Upper Tyrone Township supervisors say they are appreciative of the help recently from Pennsylvania CleanWays and some Connellsville Area High School students to clean up two dump sites along Broadford Road. Supervisor Bill Edwards said 16 students of teacher Justin Guess, as well as some CleanWays representatives, hauled out about 11 tons of debris from the area. He said CleanWays also wrote the township a check for \$50 to dispose of about 50 tires at the upcoming hard-to-recycle event Saturday at the Fayette County Fairgrounds.

Hard-to-recycle electronics collection day planned at Connellsville center The Electronics Department at the Connellsville Area Career and Technical Center will be collecting old or broken electronics for recycling from 8 a.m. to 3 ...

STATE IMPACT PENNSYLVANIA

Does Pennsylvania's Shale Gas Have Too Much Radon In It? It's no secret many people in New York oppose fracking. The latest concern from some New York City residents is that the shale gas they receive from Pennsylvania contains higher levels of radon — an odorless, colorless, radioactive gas, that's responsible for more than 20,000 lung cancer deaths every year. A group called Occupy the Pipeline recently produced a YouTube video about it, which has attracted more than half a million views. The group opposes the Spectra pipeline, which is set to be completed next fall. It will carry shale gas from Pennsylvania and Ohio underneath New York City's West Village. So are higher radon levels a legitimate concern? Michael Arthur, co-director of Penn State University's Marcellus Center for Outreach and Research says it's a complex issue worth studying more. "The problem is that radon can be produced with natural gas, especially from organic-rich units like the Marcellus Shale," he says. "There haven't been systematic studies of this yet. It's difficult to get access [to pipelines] and sample."Arthur says indoor radon exposure from natural gas depends on all kinds of things like how long people leave their stoves on and how well-ventilated their buildings are. As gas travels through pipelines, the concentration of radon declines. It's half-life — or the time it takes the radon concentration to drop by half— is 3.8 days. Arthur says it takes about 10 days for gas from Louisiana's Henry Hub distribution site (where the gas has lower radon levels) to reach the Northeast. "That trip is much shorter now because you're going directly from Pennsylvania to New York City." The state Department of Environmental Protection is looking into radon levels in natural gas as part of a year-long study it recently launched to examine radiation associated oil and gas production.DEP spokesman Kevin Sunday says the agency doesn't believe radon poses a serious risk. "It's one of the things we're looking at in our study, but we don't expect there to be much of an indoor air exposure issue." Meanwhile the Marcellus Shale Coalition, a gas industry trade group, says radon concerns are just the latest attempt at fear-mongering by fracking opponents. "Their claims are unsupported by facts and science," says MSC spokesman Travis Windle. "Those are absolutely outrageous claims by a small but vocal minority."

Amid Concerns Over Drilling, DEP Testing Air Quality in Susquehanna County The state Department of Environmental Protection is spending the week testing air quality in Susquehanna County. Residents have raised concerns about the impacts of natural gas drilling operations there, particularly the growth of gas compressor stations. So far, the DEP says preliminary results have not turned up any air quality concerns, but they won't have full results for about a month. Susquehanna is the fourth most active drilling county in the state, with more than 800 active wells.

Poll Shows Support for a Drilling Moratorium in Pennsylvania A new poll out Tuesday shows strong support for a moratorium on natural gas drilling in Pennsylvania, despite showing general support for gas extraction. The Center for Local, State, and Urban Policy at the University of Michigan, in conjunction with the Muhlenberg College Institute of Public Opinion, surveyed both Pennsylvania and Michigan residents on fracking. The survey shows general support for gas extraction in Pennsylvania. Forty-nine percent of respondents approve, and 40 percent oppose. But almost two-thirds support a drilling moratorium in order to study the risks. Pollster and University of Michigan professor Barry Rabe says that's not such a contradiction. "A moratorium is not a ban," says Rabe. "A moratorium is taking some time out and taking some time to develop a policy and process as opposed to completely prohibiting. So if there is a mixture of possible benefits and risks, support for a moratorium might be viewed as a way to view all those risks and minimize them before going forward." Most polled view Pennsylvania's natural gas reserves as a public, rather than a private resource. And 59 percent of those polled view fracking as a major risk to water resources. When it comes to full disclosure of fracking ingredients, 81 percent of Pennsylvania residents "strongly agree." Rabe says the support for full chemical disclosure cuts across party lines. "However we frame that question, you do have pretty overwhelming numbers in favor of disclosure even when you link it to the issue of trade secrets," said Rabe. Pennsylvania requires drillers to list well-by-well chemicals, which are publicized online. But companies do not have to disclose what they deem "trade secrets." The poll has a margin of error of five percent.

### **WNEP-TV SCRANTON**

State Checking Air Quality In Gas Drilling Areas DIMOCK TOWNSHIP — The Pennsylvania Department of Environmental Protection is testing air quality this week in Susquehanna County in the area with the most natural gas activity. DEP says with so much drilling and fracking and so many compressor stations being built to help transport the gas, some have questioned if the air is being polluted. Hydraulic fracturing or "fracking" is the process of using liquid to break up underground shale to extract natural gas. It's hard to miss all the natural gas activity in the Elk Lake area of Susquehanna County but some people wonder what you can't see here, what's happening to the air. So the state brought an air testing unit to spend the week in the area, trying to figure out if all the gas activity is causing any air quality concerns. "People have come to us at these public hearings, they've been worried about not just one compressor station, we're worried about the cumulative effect of all these compressor stations and what they're giving off. So the DEP is up here trying to monitor air quality and trying to see what is floating around," said Colleen Connolly, DEP spokesperson. Equipment is testing any emissions coming from those compressor stations used to help transport the gas, the fracking, and the drilling. Researchers were testing levels behind the Elk Lake schools. An infrared beam is going from the truck to a piece of equipment, picking up any abnormalities. "Basically, it goes 70 meters up from this piece of equipment, up this way and 70 meters back for 140 meters and it measures the volatile organic chemicals, the nitrous oxide, the methane in the air," Connolly explained. The location of the test site is near several well pads, a drilling site, and a compressor station. "Sure I'm glad. You have kids playing at the school right there and I live here and we want to make sure everything's safe," said Bill Ivens. Ivens lives right near the testing location and a gas well. The equipment is so sensitive that it even picked up exhaust coming from his lawn mower earlier in the day. He's curious to see if this testing turns up any concerns. "Every once in a while, I'll be on the deck and I hear a release sound coming from back there," Ivens said. "I hear noises coming from back there every so often and it makes you think." A DEP spokesperson says preliminary results so far haven't turned up any air quality concerns, but the testing will be at different spots in the county all week. It will be about a month before all the test results are in.

## WASHINGTON, D.C.

### **WASHINGTON POST**

Roth-style investing in TSP continues to grow Federal employees are increasingly taking to Roth-style investing in their retirement savings program, although Thrift Savings Plan accounts remain heavily weighted toward traditional investments, according to the TSP. The TSP says that in the year since Roth investing became available, both the number of participants using that option and the amount on investment have grown every month, to 188,000 accounts and \$355 million through April."We are pleased that our participants have evaluated their options and taken advantage of this opportunity," TSP Executive Director Greg Long said in an e-mailed statement. "The Roth TSP option is an important tool for TSP participants. They can manage their retirement income by providing greater choice in the tax treatment of contributions now and in the future." The TSP, a 401(k)-style plan for federal employees and uniformed personnel, started accepting Roth-style investments last May. However, many participants could not make such investments until months later because their payroll providers weren't ready. By year-end 2012, 101,000 participants had \$130 million in Roth investments.

Letter: Chesapeake Bay pollution can't be 'soaked up' with oysters Tom Toles's May 10 editorial cartoon suggested, based on a May 6 Metro article, that oysters can significantly improve Chesapeake Bay water quality. They can't. Sufficient numbers of oysters can't be grown to make any meaningful difference. Few people grasp the magnitude of bay nutrient pollution, most of which derives from inefficient crop fertilization. Pollution must be stopped in order to improve water quality. "Sopping up" never works. All the money we have spent reducing nutrient discharge from wastewater treatment plants has not improved Chesapeake Bay water quality, and neither will more oysters. Improved fertilization efficiency is the only way to improve bay water quality. Yes, grow more oysters, but for the right reasons: jobs and a delicious food.

### **WAMU-RADIO (NPR)**

Virginia Mennonite Farmers Work To Protect Chesapeake Bay States in the Chesapeake Bay watershed are now required to limit the amount of nitrogen, phosphorous and sediment that flows into rivers and streams. Farmers must change the way they grow crops and raise animals, prompting protest from the Farm Bureau Federation. But in Virginia, hundreds of farmers are embracing the change. Like the chickens they raise, Mennonite farmers stick together shunning the spotlight on any one person, so the man you're about to hear doesn't want us to use his name, but he's proud of his poultry operation a massive barn where thousands of fluffy white birds—approximately 76,000—are fed, watered and produce waste. A lot of it. Historically, farmers in Virginia's Shenandoah Valley have put chicken litter on their fields, but scientists have recently explained that this form of fertilizer is not a good match for the soil, because it contains too much phosphorous. "A plant can utilize

what it needs, and lets the rest remain, and the water carries it away," says the farmer. From a stream on this farm, it would flow into the James River and on to the Chesapeake Bay, where it would cause algae blooms which, in turn, suck oxygen out of the water, creating dead zones where no fish can live. Our farmer feels responsible and hates to see that happen. "All of us are only here as stewards, and we are expected to care for environment by the creator himself," he says. So instead of using chicken waste on his field, he's selling it for \$10 a ton to farmers a few hundred miles west, where the soil is deficient in phosphorous. For his own fields, he'll rely on cow manure, a better chemical match for local land—and something he can get free. He's also fencing his land so grazing animals don't relieve themselves in streams, and protecting rain water by running a pipe from the roofs of farm buildings directly to the stream—keeping it away from areas where cow pies are plentiful.

Alexandria Opposes Expansion Of Hazardous Materials Facility Leaders in Alexandria are taking steps to oppose the expansion of a hazardous materials facility near the city's border with Fairfax County. Every day on the West End of Alexandria, Norfolk Southern Railroad has the authority to transfer 14 railcars of liquid ethanol onto tanker trucks. Now the railroad wants to more than double that amount. "It's near rail track, Metro track, a residence, a school. I mean I just can't believe that they see this as an idea site to have that kind of sustained operation," said Alexandria Councilman Paul Smedberg. Last night, council members unanimously approved a resolution formally opposing the expansion -- even though city leaders acknowledge its an uphill battle because railroads are regulated by the federal government. "One of my clients was negotiating with a freight railroad and bemoaning it and said the guy actually said to me at one point, he banged the table and said I don't know where you got your authority from but I got mine from Abraham Lincoln," said Councilman Tim Lovain, who deals with freight rail in his work as a lobbyist. City officials are hoping the state will conduct a public hearing in Alexandria so residents who live near the facility can air their concerns.

Virginia Congressman Asks McDonnell To Slow Down 'Outer Beltway' Virginia Rep. Frank Wolf is adding his voice to Republicans questioning the McDonnell's administration's plan to construct a major north-south highway in Northern Virginia, a bi-county parkway running west of Dulles International Airport and Manassas Battlefield that critics call an "outer beltway."

Razing Of Abandoned Homes To Increase In Prince George's County In Maryland, demolition crews in Prince George's County have razed 46 abandoned homes this year, more than nine times the number torn down all of last year. Despite some upcoming bureaucratic changes, that pace won't be slowing anytime soon. The latest property to come down was a two-story aqua blue home along Hawthorne Street in Landover. Floreen Campbell lives next to what is now a pile of rubble, but for the prior five years that home was vacant—except for the occasional vagrant and a host of animals that did damage to her property. "We had mice. I was sitting in my back yard one night, and along the fence came...a raccoon! I said 'Oh my god a raccoon!' And we watched him...he came around the fence, up the tree, and into the house. A possum. Things I'd never seen. This is a blessing," she says.

**WASHINGTON EXAMINER**

Fracking could create new wealth for New York as it has for Pennsylvania (May 14) Energy companies in Pennsylvania have been extracting natural gas through hydro-fracturing ("fracking"), but a state moratorium in place since 2010 has prohibited companies from doing the same thing in New York. Later this year, New York's state government will decide whether it will permit fracking, or, instead, turn its current moratorium into a permanent ban. The government should lift the ban. In a new analysis of data from Pennsylvania, where nearly 5,000 fracked wells have been drilled since 2002, I show that counties with such operations have performed better in terms of income growth and employment than those with none.The more wells a county contained, the better it performed. Using the Pennsylvania data to project fracking's effect on New York counties, I find that the incomes of those who live in the 28 New York counties above the Marcellus Shale have the potential to expand by as much as 15 percent over the next four years -- if the state's moratorium is lifted.

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# DELAWARE

**WILMINGTON NEWS JOURNAL**

Poultry pollution has been overestimated, new study says DOVER — Federal environmental programs have drastically overestimated poultry industry contributions to water pollution, according to a University of Delaware-led study that could trigger changes to river and bay cleanup plans across Delmarva and around the country. James L. Glancey, a professor in the university’s Bioresources Engineering and Mechanical Engineering departments, said that a multi-state study, based on thousands of manure tests, found that actual nitrogen levels in poultry house manure are 55 percent lower than the Environmental Protection Agency’s decades-old, lab-based standards.The results -- a nitrogen difference of 20.8 million pounds a year for Sussex County alone -- could lead to a formal proposal as early as next month for changes to the Chesapeake Bay Program’s six-state pollution forecasting model, used to guide a federally backed attempt to restore the bay’s health and ecosystems and assign cleanup goals. “I think this is a precedent-setting kind of thing, but we’re not quite sure how it’s going to propagate through the United States,” Glancey said after giving a briefing on the findings at the state Department of Agriculture. “Everyone’s watching it, there’s no doubt about it.The comments came during a wider session on recent research findings suggesting progress in efforts to to improve groundwater and reduce the number of Delaware waterways designated as “impaired” by runoff containing high levels of fertilizer-like nitrogen and phosphorus.

**DELAWARE CAPE GAZETTE**

Volunteers needed for Inland Bays cleanup June 8, 22 The Delaware Department of Natural Resources and Environmental Control’s Division of Fish and Wildlife Enforcement Section, along with the Dewey Beach Lions Club, the Center for the Inland Bays and Division of Parks and Recreation, are seeking volunteers and working boats for the Ninth Annual Cleanup of the Inland Bays, which will be held on two Saturdays in June. This year, the first cleanup will take place from 9 a.m. to 2 p.m., Saturday, June 8, at Massey’s Landing Public Boat Ramp at the end of Long Neck Road. Cleanup efforts will focus on the Rehoboth Bay and Indian River Bay areas. A second cleanup day is scheduled for Little Assawoman Bay from 9 a.m. to 2 p.m., Saturday, June 22, with volunteers meeting at Mulberry Landing Public Boat Ramp at the Assawoman Wildlife Area just southwest of Bethany Beach. Volunteers should dress to get dirty and be prepared for cooler conditions on the water as well as wet walking conditions on land. Rubber boots are also suggested. Those who have access to lifejackets should bring one, as they are required on boats. Otherwise, lifejackets will be provided. This event is not recommended for children under the age of 10. Last year’s event drew 75 volunteers who collected 2,650 pounds of debris, including soda bottles and cans, tires, derelict crab pots and a lot of plastic. A large construction dumpster was donated and filled by the end of the day. “With this event, we are continuing our public outreach on behalf of the Division of Fish and Wildlife Enforcement Section, Delaware State Parks, the Center for the Inland Bays and our enforcement volunteers. We hope that through activities such as the cleanup, people using the Inland Bays will pause long enough to make decisions that benefit these beautiful waterways,” said Sgt. Nicholas Couch of Fish and Wildlife Enforcement.

Piping plover nesting season off to a good start with three nests Unseasonably cool weather aside, the piping plover nesting season has gotten off to a noteworthy start with three nests spotted last week on the Point at Cape Henlopen State Park. A pair of piping plovers also has been seen at Gordon’s Pond, but they don’t appear to have set up a territory there yet. As many as nine piping plovers have been sighted at one time out on the tidal flats on the bay side of the Point, and it is

expected that more pairs and their nests will reveal themselves in the near future. In other beachnester bird news, two American oystercatcher nests were found on the Point last week. Unfortunately, both nests were too close to the high tide line and have either succumbed to flooding or were taken by predators. To date there has been no sign of beachnester bird activity at Delaware Seashore State Park. For more information on beachnesting birds and monitoring efforts, contact Wildlife Biologist Matthew Bailey at 302-382-4151 or email [matthew.bailey@state.de.us](mailto:matthew.bailey@state.de.us).

**ASSOCIATED PRESS (DEL.)**

**UD-led study: Feds overestimate poultry pollution** A University of Delaware-led study has found that decades-old federal standards overestimate current poultry industry contributions to water pollution. *The News Journal of Wilmington* reports that researchers found that nitrogen levels in poultry house manure are 55 percent lower than the Environmental Protection Agency's standards. Efforts to eliminate waterway dead zones and algal blooms nationwide have focused on pollution from manure. The EPA said Tuesday that a committee has been formed to settle the issue and officials hope data will show that nutrient reduction efforts are getting results. The agency says the Chesapeake Bay Program, a federal-state partnership that coordinates bay restoration efforts, will decide how the information will be used. Delmarva Poultry Industry's Bill Satterfield says the standards are not relevant to how chickens are raised today.

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# WEST VIRGINIA

**CHARLESTON GAZETTE**

**4th Circuit upholds Alpha mine permit decision** CHARLESTON, W.Va. -- A federal appeals court has upheld a decision that cleared the way for a Clean Water Act permit needed for a new mountaintop removal mine in Logan County. On Wednesday, a 4th U.S. Circuit Court of Appeals panel affirmed an August 2012 ruling in which U.S. District Judge Robert C. Chambers did not revoke the permit issued by the federal Army Corps of Engineers. Judge Paul V. Niemeyer said the agency decision satisfied federal legal requirements that it take a "hard look" at the potential impacts of mining. "Our review is limited, and we may not use review of an agency's environmental analysis as a guise for second-guessing substantive decisions committed to the discretion of the agency," Niemeyer wrote. The "dredge-and-fill" permit is part of Alpha subsidiary Highland Mining's proposal for the 635-acre Reylas Surface Mine near Ethel in Logan County. "It's rewarding to us to see that the courts have multiple times cast aside the unfounded arguments of a small number of special interest groups who wish to stop coal at all costs," said Ted Pile, a spokesman for Alpha. "Who wins in this ruling are really the communities of Appalachia that are able to preserve high-paying mining jobs and enjoy the economic benefits that come with a properly run, well-regulated business." The Alpha permit ruling comes three weeks after a pair of federal appeals court mountaintop removal decisions -- concerning the U.S. Environmental Protection's veto of the Spruce Mine in West Virginia and a broad permit challenge out of Kentucky that went to the Cincinnati-based 6th Circuit -- that went against the coal industry. At its Reylas Mine, Alpha hopes to employ about 100 people for six years of mining, and then create a 235-acre site with paved roads and utilities that could be used for temporary housing during flooding and other emergencies. The mine, though, would bury about 2.5 miles of streams beneath a valley fill and associated runoff-control structures.

**Editorial: Coal down, gas up** (May 14) CHARLESTON, W.Va. -- Another national report confirms that West Virginia's economy is undergoing a historic transition: Mined-out mid-Appalachian coal operations are fading, while the new Marcellus gas industry booms. Easy-to-reach coal seams mostly are gone, and remaining Appalachian coal is too expensive to compete with the flood of low-cost natural gas. A long analysis by Bloomberg News recalled that coal generated half of America's electricity in 2005, but the ratio dropped to "a record low of 37 percent last year." And worse lies ahead: "In the next three years, America will close a record number of coal-fired power plants, enough electricity to power 18.4 million households." The study added: "Pain is being felt from Appalachia to Wyoming as the United States reduces its dependency on coal to almost the lowest level in 63 years. ... As many as 5,400 direct U.S. jobs could be lost by 2015. ... Another 30,000 more may disappear in the coalfields and ripple through the businesses that support them, from local diners to the companies that help replace worn tires on mining equipment. ... "The number of West Virginia miners or workers connected to mining who applied for unemployment benefits rose to almost 6,000 in 2012, from 2,045 in 2011. ... No region is more affected than Appalachia, where West Virginia, the second-largest U.S. producer accounted for 25 percent of the nation's 91,611 coal jobs in 2011 ... Nationwide, industry payrolls plunged 46 percent from 1985 to that year."

**Commentary: Natural gas to power our region's transportation future** Improving air quality, increasing energy production, and enhancing security are all widely shared goals for our region and for the nation -- and the natural gas industry is making positive progress toward realizing them. Across Appalachia, including a large portion of West Virginia, supplies of clean-burning natural gas and natural gas liquids are being safely and responsibly produced from the Marcellus Shale. In addition to providing more affordable energy for consumers, these abundant American natural gas resources create thousands of jobs. Our region is realizing significant economic and environmental benefits every day. However, we must continue to identify innovative ways to further leverage this historic opportunity. Right here in West Virginia, positive progress toward making this important, homegrown fuel source more widely available to consumers is taking hold. Noble Energy, in collaboration with government and industry partners, is working to lay the foundation for a broad-based compressed natural gas (CNG) infrastructure network that will fuel more of our cars, school buses and fleet vehicles across the region. CNG provides a cleaner, more-affordable, American-made fuel to power our growing transportation needs -- at half the cost of traditional motor fuels. Realizing CNG's potential for the state, Gov. Tomblin created a Natural Gas Vehicle Task Force focused on creating a roadmap to expand natural gas fueling infrastructure and vehicle use. I was honored to serve on this task force with a diverse group of stakeholders that recognize CNG is clear winner for taxpayers, consumers, businesses and our environment.

**Airgas plant still closed following explosion** (May 14) BLACK BETSY, W.Va. -- Investigators are still looking into what caused an explosion that injured two men at the Airgas plant in Putnam County on Monday. Doug Sherman, vice president of communications for Airgas Mid America, said Tuesday the plant on W.Va....

**BECKLEY REGISTER-HERALD**

**Raleigh officials studying Virginia stormwater ruling** BECKLEY — Raleigh County authorities are examining a federal judge's ruling in Virginia that held the Environmental Protection Agency exceeded its powers by trying to regulate stormwater runoff in a creek. Before anyone gets hopes up that the special fees imposed on a specific region in this county are going to disappear, Jeremiah Johnson, operations manager for the Beckley Sanitary Board, said the case isn't about stormwater charges. "The ruling really has nothing to do with stormwater fees," Johnson said Wednesday. Beckley City Attorney Bill File agreed with that assessment. "It was a fairly limited issue that was dealt with in that case that has absolutely no bearing on the city of Beckley's stormwater law," File said. Beckley falls within the purview of the Clean Water Act which Congress enacted in 1987, directing the EPA to regulate urban stormwater, the attorney explained. "This case in Virginia did not change any provisions of the section that we're under," File said. "It didn't deal with stormwater fees or anything of that nature. I don't think that case would have any bearing really on the program in the city of Beckley." At the outset of the ruling, Bill Roop, attorney for the Raleigh County Commission, said residents served in the Piney Creek Watershed Association might be looking at smaller bills down the road, although he quickly acknowledged that he hasn't had time to examine the decision. "We believe that ruling — and I haven't got a copy of the case — showed that the charges are inappropriate at this point in time," Roop said. In his decision, U.S. District Judge Liam O'Grady ruled in favor of the Virginia Department of Transportation and the Fairfax County Board of Supervisors in their challenge of the EPA's restrictions on the flow of stormwater into Accotink Creek. "Stormwater runoff is not a pollutant, so EPA is not authorized to regulate it," the judge said.

**BLUEFIELD DAILY TELEGRAPH**

Hazmat crews dispatched to federal prison in Welch after mysterious package discovered at the facilityWELCH — A hazardous material team has been dispatched to the federal prison in Welch to assist with a suspicious package investigation. Glenn Friss, a public information officer with the Federal Correctional Institute McDowell, said the package was flagged as containing something suspicious by employees of the prison’s mailroom. “About 2:35 p.m. employees were checking the incoming mail when they discovered something suspicious during one of their routine screenings,” Friss said. “Everything in the facility is secure. Nothing was opened and the package has been contained until we can determine what is inside. There is no danger at all to the public, inmates or staff.” Friss said the prison staff contacted McDowell County 911, which in turn dispatched the Princeton Fire Department’s Hazmat team to the scene. Friss said the Hazmat team had arrived on scene at approximately 4:30 p.m. to begin their investigation. Friss said the FBI has also been contacted regarding the package as the prison is a federal institution.

**HUNTINGTON HERALD MAIL**

Bicycle commuters seeking input HUNTINGTON -- This Ohio River city is mostly flat. Its downtown streets were built wide enough for Collis P. Huntington to turn a horse and carriage around, and it's now being striped and signed for bicyclists. A group of Huntington cyclists who commute to work are hoping to make the commuter cyclist scene grow through their efforts. The grassroots group of cyclists that includes such folks as Marshall University student and activist Dan Taylor and Breanna Shell, a planner for the city of Huntington, conducted their first meeting a couple weeks ago as part of the weekly Chat 'n' Chew sessions at the Frederick Hotel. They are meeting again at 1 p.m. Saturday, May 18, at Heritage Station to ride routes throughout the city to determine best and safest routes for cyclists of all levels. That ride is free and open to the public. Shell, who has ridden to work in Huntington for the past three years, said they ultimately hope to create a bicycle commuter map that folks in Huntington could use to determine best routes for navigating the bustling college city that's also home to factories, hospitals and large downtown offices where thousands of people work. "Depending on who comes out to the Saturday ride, we would like to go into different areas of the city and want to make note of what is there when we go out on the ride," Shell said. "Is the road brick or hilly or flat? All of the answers to those questions can be part of the conversation."

**PARKERSBURG NEWS AND SENTINEL**

Urban Renewal Authority sells two properties PARKERSBURG - The Parkersburg Urban Renewal Authority sold two pieces of property Tuesday evening and approved taking two more parcels through eminent domain. The authority met Tuesday and considered three offers on two vacant properties.

**WEST VIRGINIA PUBLIC RADIO**

Natural Gas Vehicles Expo in Charleston highlights industry This year’s Appalachian Basin Natural Gas Vehicle Expo and Conference is in Charleston this week touting the advantages of vehicles they say are more environmentally friendly and, in the long run, more cost-effective. President of Natural Gas Vehicles of America Rich Kolodziej says West Virginia at one point had the most natural gas fueling stations per capita of any state in the country. However, he says, unstable economics within the industry, including a drop in gasoline prices, made growth for natural gas vehicles difficult. Kolodziej now believes the circumstances are again in line to see an increase in natural gas powered vehicles around the state. “I think West Virginia is now in the forefront because, first, you have legislation that provides incentives for putting in stations and buying vehicles. You have interested commercial parties like Chesapeake Gas and Noble Gas and other producers, as well as the utilities and other players, all interested in growing this market. And, you’ve got a huge amount of natural gas,” said Kolodziej. As Kolodziej noted, the state legislature chose to continue tax credits for those who purchase vehicles or convert them to run on natural gas, while ending a credit for purchases of Flex Fuel and electric vehicles. While there’s a push to move the industry forward, other bumps in the road still exist for natural gas vehicles to become widely popular. James O’Donnell of Alternative Fuel Solutions of West Virginia explained why his company targets businesses with high fuel expenses rather than average consumers.

**WEST VIRGINIA STATE JOURNAL**

Are air pollution exemptions harming air quality? Revisions the Environmental Protection Agency proposes to air quality rules in 36 states, West Virginia included, would require substantial administrative effort but would not improve air quality, according to a state regulator. The agency's proposal to change regulations that govern industrial facilities during startup, shutdown and malfunction — SSM events — does not take the entire suite of state air quality regulations into account, said Fred Durham, deputy director of the state Department of Environmental Protection's Division of Air Quality. "If you look at West Virginia air pollution control law as a holistic, integrated entity, a lot of this stuff falls off the plate," Durham said. The West Virginia chapter of the Sierra Club believes exemptions should end, said Energy Committee Chair James Kotcon, and it has challenged air pollution permits to have those emissions counted. Because air pollution controls on some industrial facilities work only during normal operation, spikes of emissions during SSM events long have been seen as unavoidable. Thirty-six states have written provisions into their Clean Air Act state implementation plans, or SIPs, specifically exempting industrial facilities from some aspects of their permit limits during SSM events, according to the EPA. In 2011, the national Sierra Club petitioned the EPA for a rulemaking ending this practice, saying it violates the Clean Air Act. And in February this year, the EPA proposed a rule that would direct those states to submit revised SIPs by March 2015. The current SIPs, including their SSM exemptions, were approved by the EPA. But the agency proposes now to view startup and shutdown as phases of normal plant operation that could be allowed to meet recommended "special emission limitations" during those periods. Malfunctions, when shown to be "sudden, avoidable and unpredictable," could continue to be exempt from permit limits in the proposal. A 13-page comment letter submitted May 13 to the agency by DEP Cabinet Secretary Randy Huffman and Attorney General Patrick Morrisey raise several objections to the proposal. Most fundamentally, they make Durham's argument: that the agency has taken West Virginia's SSM rules out of context. Durham provided further explanation, saying the many-layered nature of the air quality rules provides backstops. "There are certain things that do have exemptions — for example, the opacity provisions, how dark the smoke is coming out of the stack," Durham said. "But there is not an exemption for the mass limit, how many micrograms per cubic centimeter (of particulate matter). They still have to meet that." Federal rules also may apply, he said. "You can have a unit that may be subject to one of our rules that has a director's discretion provision (enabling an administrator to grant exemption)," he said. "But then it's backed up by or incorporates by reference a New Source Performance Standard at the federal level. Under our air pollution control law, it's always the more stringent provision that rules."

**ASSOCIATED PRESS (W. VA.)**

Canaan group reviving Cheat Mountain forest, wetlands DAVIS, W. Va. -- A former Randolph County strip mine site is once again home to woodcock, frogs, wetlands and bogs, thanks to an ongoing restoration effort led by the non-profit Canaan Valley Institute.Executive Director Jennifer Newland says erosion from old hauling roads is being reduced, while staff is recreating a spruce forest and wetland habitat. The old logging roads had been funneling tons of sediment into a trout stream. The institute, headquartered in Davis, has already finished work on another Cheat Mountain project: Beaver Creek is now a vital spawning ground for brook trout, thanks to culverts and step pools that let 100 feet of stream pass under a railroad. Both projects are within the Monongahela National Forest. The institute works throughout West Virginia, and Maryland and western Virginia.

US appeals court in Va. OKs W.Va. mine permit RICHMOND, Va. (AP) — A federal appeals court on Wednesday refused to block a federal permit for a West Virginia mountaintop removal coal mine that was challenged by environmentalists. A panel of the 4th U.S. Circuit Court of Appeals ruled that a federal judge was right to rule that the Army Corps of Engineers did its due diligence when it granted the permit under the Clean Water Act. The permit was for Virginia-based Alpha



Natural Resources’ Highland Reylas surface mine in Logan County. The Ohio Valley Environmental Coalition, West Virginia Highlands Conservancy, Sierra Club and Coal River Mountain Watch challenged the permit, saying it would cause irreparable harm to 2 ½ miles of streams. The corps argued it anticipated no such effects when it issued a water pollution permit. The court agreed that the agency thoroughly evaluated all evidence before making its decision. The groups alleged the corps failed to take a “hard look” at the environmental impact of the project. The court sided with the agency, though, citing its work over four years to evaluate the proposed mine and to work with both sides to mitigate any damage. “With the inability to demonstrate that the Corps failed to take a ‘hard look,’ the Environmental Coalition’s arguments are reduced to no more than a substantive disagreement with the Corps,” the panel wrote. Mountaintop removal is a particularly efficient but destructive form of strip mining that blasts apart mountain ridge tops to expose multiple seams of coal. The practice of flat-topping the mountains, then filling valleys and covering streams with rubble has divided communities and led to confrontations between coal miners and environmentalists.

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## MARYLAND

### **BALTIMORE SUN**

**Somerset drops buyout of Smith Island homes** Officials say all federal aid will go to rebuilding after storm. A proposed buyout of Smith Island homeowners to help them escape future damage from tropical storms and rising waters has been dropped amid vocal resistance from residents of the low-lying community in the middle of the Chesapeake Bay.

**Workers find unexploded ordnance at Fort Meade** Six homes evacuated; World War II-era round inert.Police and firefighters cordoned off a section of Fort Meade on Wednesday morning after utility workers discovered a piece of unexploded ordnance from the World War II era, base officials said.

**AccuWeather predicts active Atlantic hurricane season** AccuWeather.com is predicting another active Atlantic hurricane season, particularly for the U.S. coastline. While the Pennsylvania-based meteorology company is calling for fewer storms in all, with 16 tropical storms versus 19 in 2012, AccuWeather's season outlook suggests that four storms could become major hurricanes, compared with one in 2012. AccuWeather expects three storms to make landfall in the United States, compared with four in 2012. "After a devastating blow to the East from Superstorm Sandy in October of 2012, residents and homeowners on the Atlantic coast should anticipate another active season in 2013," the forecast warns. Warm water in the Atlantic, which helps storms strengthen, combined with less frequent wind shear -- significant differences between wind speeds at varying altitudes that can inhibit storm development -- could make storms more frequent. There also may be less influence from Saharan dust, which can also stymie storms. The U.S. National Oceanic and Atmospheric Administration will offer its season outlook May 23.

### **SALISBURY DAILY TIMES**

**A game-changing study for Delmarva poultry industry** PRINCESS ANNE — Gary King recently purchased one of the fastest, most powerful tillers on the market. His \$30,000 investment ensures that almost all of the chicken manure he puts on his corn and soybean fields each spring gets mixed into the soil instead of running off into nearby ditches and streams, fouling the Chesapeake Bay. The Somerset County farmer says he is happy to help the bay — but also hopping mad. And he isn't alone. A new study confirms what many of the region's farmers have suspected for years: Computer models used to guide federal bay restoration goals and state environmental regulations have been significantly overestimating the poultry industry's nutrient contributions. In Sussex County alone, the U.S. Environmental Protection Agency's models suggested that the industry generated 38.5 million pounds of nitrogen a year. Relying on manure samples and shipment logs instead of years-old estimates, a University of Delaware researcher found the number was about 55 percent lower. "We're not talking about being off by a few tons. We're off by a few millions tons. That's a lot, and that's just in Sussex County," said Jim Glancey, a professor in the university's Bioresources Engineering and Mechanical Engineering departments. The agency's Chesapeake Bay Program is expected to consider implementing Glancey's model recommendations this summer. "This is something I don't think has been done anywhere else in the country on this scale," Mark Dubin, a University of Maryland regional extension agent, said last Friday at a Chesapeake Bay Program agriculture committee meeting at which Glancey had presented his results. "This is something that will be talked about everywhere." In a statement, the EPA said the agency has been aware of Glancey's work for more than a year, and that a committee with "diverse participation" had been formed to settle the issue in a timely way. "While we await submittal of additional data needed, we are hopeful the collective data will show that industry efforts to reduce nutrients in poultry litter is having a positive result," the statement said. "Any decision regarding the use of this information would be made by the Chesapeake Bay Partnership."

### **CBS-13 BALTIMORE**

**Underwater Dirt Threatens To Spill Into Chesapeake Bay** BALTIMORE (WJZ)—Underwater dirt. That’s basically what the millions of tons of sediment backed up behind Conowingo Dam is.**Alex DeMetrick** reports. Washed off the land in storm run-off from New York to Pennsylvania, within 20 years so much sediment will build up that it will eventually pour over the dam into the Susquehanna River and the Chesapeake Bay. That could cause an ecological disaster.The dam’s owner, Exelon Generation, weighs in the situation.

### **CARROLL COUNTY TIMES**

**Manchester candidates discuss a large solar project in the town**The town of Manchester has spent money on a consultant firm’s assessment of a large solar project to be constructed at the town’s spray irrigation facility.The hope is that this system could be installed at no cost to the town because of the current renewable credit and energy requirements implemented by the state and the federal government, and that extra power generated by the 1.5 megawatt installation would be credited against the town’s electric bill.The current town council has been very interested in this project. The assessment has been completed by the consultant firm and is expected to be formally presented to the mayor and town council at the June 11 meeting.On Tuesday, voters will choose between four candidates to fill the three town council seats.The Times asked each candidate if they would support this project and projects like it.

### **ASSOCIATED PRESS (MD)**

**Students share findings about water quality** High school students shared their results of a year-long study in which they investigated nutrient enrichment and phytoplankton dynamics in the Chesapeake Bay on Saturday at Huntingtown High School. The results were presented at the third annual Plankton and Nutrient Studies for the Chesapeake Bay, or PLANS, summit, which was held to provide students with a forum to share their work with other students, teachers, families, scientists and the public. Dr. Kelly Clark, director of the Morgan State University Estuarine Research Center, said the PLANS program is a curriculum enhancement program, funded by the National Oceanic and Atmospheric Administration B-WET program, designed to introduce Calvert County students to “the wonders and intricacies” of the Chesapeake Bay. “What it really is, is a partnership” between Morgan State University, the Society for Ocean Sciences and Calvert County Public Schools, Clark said. “But more than a partnership with the administrative core, it's a partnership with the students, because we ... put the programs together but it's the students who run the experiments."



# VIRGINIA

## **RICHMOND TIMES-DISPATCH**

State to spend \$1 billion for local transportation projects The Richmond region will receive nearly \$1 billion for highway and rail improvements over the next six years under the state's new transportation funding package. The projects are part of the state's proposed transportation program, which allocates \$15.4 billion — a \$4 billion increase over the present plan — in funding for transportation improvements over the next six fiscal years beginning July 1. "This is a historic six-year improvement program," said Reta R. Busher, chief of planning and programming for the Virginia Department of Transportation.

Public hearing on proposed transportation plan The Commonwealth Transportation Board will hold a public hearing on the state's proposed 2014-2019 transportation improvement program at 6 p.m. May 28 in the VDOT Central Office Auditorium, 1401 E. Broad St., in downtown Richmond.

2.3 magnitude earthquake recorded in Louisa A magnitude 2.3 earthquake rattled Louisa County this morning, but there were no immediate reports of any problems associated with it.

## **ASSOCIATED PRESS (VA.)**

Anti-uranium groups in Virginia join forces DANVILLE -- Two Southside Virginia voices against uranium mining are joining forces. The Roanoke River Basin Association says it has welcomed CommonHealthVA as a part of its family. The group is among several that advocated for keeping the state's prohibition on uranium mining. While the issue wilted in the General Assembly this year, proponents of uranium mining are still hoping Gov. Bob McDonnell will keep the issue alive. He has yet to respond to a suggestion he order state agencies to develop regulations for the 2014 legislature to consider. One of the largest known deposits of the radioactive ore is located in Pittsylvania County. Virginia Uranium Inc. wants to tap the deposit. The company says the mining and milling can be done safely, but critics disagree.

Minor earthquake rattles Louisa County LOUISA -- Today got off to a shaky start for some residents in Louisa County. The U.S. Geological Survey reports that a magnitude-2.3 earthquake struck in the county at 7:01 a.m. The epicenter was 6 miles south-southwest of Louisa. In 2011, the county was struck by a magnitude-5.8 earthquake.

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# MISCELLANEOUS

## **BNA DAILY ENVIRONMENT REPORT**

Environment Panel Republicans to Attend Vote on McCarthy NominationRepublicans on the Environment and Public Works Committee say they will attend a scheduled vote today on the nomination of Gina McCarthy to head EPA, further ensuring a quorum would be present to advance the nomination. Sens. Boozman and Barrasso tell reporters that the responses EPA provided the committee were adequate to move the nomination forward. "We've actually gotten a lot of the information we've requested," Boozman says. Republicans boycotted a previously scheduled vote.

Corps Says Health Impacts of Coal Mining Go Beyond Permit AuthorityThe U.S. Army Corps of Engineers tells a federal district court that it was not required to consider human health impacts of a surface coal mine in West Virginia because such an analysis would go beyond the scope of its water permitting program. Any potential health effects related to mountaintop removal coal mining are outside the jurisdiction of the corps' permitting process under the Clean Water Act, the corps says in a filing in a case challenging a corps-issued permit.

## **GREENWIRE**

EPA: Retirements, confirmation fights create high-level vacancies If U.S. EPA air chief Gina McCarthy is eventually confirmed as agency administrator, the Office of Air and Radiation will join four other agency offices that have no permanent, Senate-confirmed leaders. There are no confirmed administrators for the offices of water, chemical safety and pollution prevention, the chief financial officer, and the general counsel. Nancy Stoner, the acting assistant administrator for water, has served in that capacity for more than two years since the nomination of Ken Kopocis was halted by Senate Republicans opposed to the agency's handling of the Clean Water Act. McCarthy is a veteran of the confirmation wars. She was confirmed for the air post in 2009 after Sen. John Barrasso (R-Wyo.) released his administrative hold over EPA's plans to regulate greenhouse gases and is now blocked by Sen. Roy Blunt (R-Mo.) over a missed deadline to an environmental impact statement for a federal water project in his home state. Meanwhile, Republicans on the Environment and Public Works Committee are boycotting a committee vote on her confirmation.

SEQUESTRATION: Budget cuts jeopardize science, public health -- Democrats The government is reducing air monitoring, cutting back on research grants, and taking longer to approve oil and gas drilling permits under the across-the-board budget cuts that began in March, according to House Democrats. Rep. Nita Lowey (D-N.Y.), the top Democrat on the House Appropriations Committee, released a report today that details how agencies are handling sequestration. It's the latest attempt to highlight sequestration's damaging effects and reaffirm Democrats' desire to repeal it. "Piece-meal efforts to manage sequestration are counterproductive," Democrats wrote in the report. "They often require underfunding long-term needs to mitigate short-term pain. In many instances, the annual savings mask increased longer term costs."Republicans say they agree. Jennifer Hing, a spokeswoman for Appropriations Committee Republicans, said in an email today that Chairman Hal Rogers (R-Ky.) has repeatedly emphasized that "sequestration is an irresponsible and damaging way to do business, and it should be replaced with a real, long-term, sustainable budget solution."

Decisionmakers fail to consider climate change in designing infrastructure projects -- GAO The federal government and its local partners spend billions of dollars a year on transportation and water infrastructure projects without properly weighing the impacts of climate change, the Government Accountability Office said in a report released yesterday. The lack of climate planning on the federal, state and local level may leave infrastructure vulnerable to climate change, unnecessarily wasting taxpayer money and inviting unnecessary costs, GAO said. "Decision makers have not systematically considered climate change in infrastructure planning for various reasons," the report says. For one thing, it says, most planning resources are consumed by more immediate concerns, such as managing aging infrastructure. For another, managers might lack data that would help them make more forward-looking choices. Communities also showed a greater inclination to consider climate in infrastructure decisions after an extreme weather event compromised their infrastructure, or after they were provided with guidance about how to incorporate climatic information into their decisionmaking, the report says.

Former EPA agent swaggers into new career with 'in your face' green group NORTH BONNEVILLE, Wash. -- Nobody ignores Scott West. A skull and crossbones emblazon his black hat and sweatshirt, and tattoos wrap around both wrists. On the right: a vulture against a full moon and a swirl-pattern Maori band. On the left: a whale, shark and another skull with crossbones shaped like Neptune's trident and a shepherd's staff -- the insignia of the Sea Shepherd Conservation Society. Residents here unexpectedly meeting the radical environmentalist pelt him with two questions in quick succession: "Are you really with those guys? Were you on TV?" Best known for ramming whaling ships, Sea Shepherd has gained even greater recognition since Animal Planet documented its confrontations with Japanese whalers in the frigid Southern Ocean on "Whale Wars."

**WALL STREET JOURNAL**

Democrats Try to End Standoff on Nominations Senate Democrats plan to try to break the logjam on a number of top administration nominees whose confirmations have been held up by Republican senators. Next week, Democrats plan a full-Senate vote on Richard Cordray to be director of the Consumer Financial Protection Bureau, an appointment that has been blocked by Republicans who want to change the structure of the two-year old agency. Mr. Cordray has been running the bureau under a January 2012 recess appointment. The Cordray vote is expected to fail, but Democrats hope it highlights what they see as GOP obstructionism that has kept President Barack Obama from filling his cabinet and senior posts in his administration. Every GOP senator signed a letter vowing to continue to block Mr. Cordray's nomination until the agency was made more accountable to Congress. "There has been zero outreach from the White House to resolve this call for transparency and accountability," said Don Stewart, a spokesman for Senate Republican Leader Mitch McConnell of Kentucky. Democrats have also scheduled committee votes Thursday on a pair of top nominees. The Senate Health, Education, Labor and Pensions Committee is scheduled to vote on Thomas Perez to become Labor secretary. And the Senate Environment and Public Works Committee is scheduled to vote on Gina McCarthy to head the Environmental Protection Agency. Last week, Republican members of the committee boycotted a vote on her nomination, effectively blocking it. As a measure of the Democrats' resolve to move forward with the nomination of Ms. McCarthy, an EPA air quality expert, Sen. Frank Lautenberg (D., N.J.), a member of the panel, is expected to return to Washington to cast a vote for her nomination. Mr. Lautenberg has been sidelined by illness much of this year. Republicans often cite the EPA as an example of federal government overreach given the multitude of new regulations that have been issued by the agency during the president's first term. Mr. Obama has said he won't hesitate to use the EPA's regulatory authority to push his environmental agenda in his second term if Congress fails to act to tackle climate change.

**ASSOCIATED PRESS**

House OKs farm bill with food stamp cuts House panel OKs farm bill with food stamp cuts WASHINGTON (AP) -- The House Agriculture Committee on Wednesday approved a sweeping farm bill that would trim the \$80 billion-a-year food stamp program. The panel rebuffed Democratic efforts to keep the...

Residents shout 'Protest!' over refinery in China KUNMING, China - More than 2,000 people in southern China unfurled banners and shouted "Protest! Protest!" on Thursday to oppose plans for a petroleum refinery, in a large environmental rally that local authorities allowed to go forward in order to let the public vent frustration. The gathering in downtown Kunming , the second one in the city this month , was largely peaceful, though there were minor scuffles with police. Witnesses said at least two people were briefly detained, though it was noteworthy that authorities , apparently eager to appear open and inclusive , made no effort to shut down the rally. A city vice mayor, He Bo, even tried to meet with the demonstrators, but his attempts to explain the refinery project to the crowd were cut short by the cries of a protester.